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12  
13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
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16  
17 IN RE: BEXTRA AND CELEBREX  
18 MARKETING SALES PRACTICES AND  
19 PRODUCT LIABILITY LITIGATION  
20

) Estate of Bobbie G. Overton, Sr., et al vs.  
) Pfizer, et al  
) Cause No. 08-1017-CRB  
)

) **MDL NO. 1699**  
) **District Judge: Charles R. Breyer**  
)

21  
22 Ruby Giles,  
23

24 Plaintiff,  
25

26 vs.  
27

28 Pfizer, Inc., et al.  
29

30 Defendants.  
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) **STIPULATION AND ORDER OF**  
) **DISMISSAL WITHOUT PREJUDICE**  
)

32  
33 Come now the Plaintiff, RUBY GILES and Defendants, by and through the undersigned  
34 attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the  
35 dismissal of this action without prejudice with each side bearing its own attorneys' fees and  
36 costs.  
37

38 Should Plaintiff or a representative of Plaintiff attempt to re-file claim against  
39 Defendants, they shall do so only by re-filing in the United States District Court.  
40

1 DATED: 5/9, 2008

2 BOONE LAW FIRM, P.A.

3 By: Levi Boone, III, Esq.  
4 Attorneys for Plaintiff

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6 DATED: 5/14, 2008

7 GORDON & REES

8 By: Stuart M. Gordon  
9 Attorneys for Defendants

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11  
12 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,**  
13 **IT IS SO ORDERED.**

14 Dated: \_\_\_\_\_

15 Hon. Charles R. Breyer  
16 United States District Court